

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Michael Dewayne Perseke,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Kevin D. Moser, et al.,

Defendants.

Civil No. 16-557 (PJS/LIB)

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Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. Defendants' Motion to Dismiss Plaintiff's Complaint, [Docket No. 8], is **GRANTED**.
2. Plaintiff's claims against the named individual Defendants in their individual capacities are **DISMISSED without prejudice**.
3. Plaintiff's claims for injunctive remedies against all Defendants in their official capacities are **DISMISSED without prejudice**.
4. Plaintiff's claims for monetary and punitive damages against all Defendants in their official capacities are **DISMISSED with prejudice**.
5. Judgment is entered accordingly.

DATED: 10/24/16
At Minneapolis, Minnesota

s/Patrick J. Schiltz
Patrick J. Schiltz, Judge
United States District Court